

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

EQUISTAR CHEMICALS, LP and MSI TECHNOLOGY L.L.C., Plaintiffs,	§ § § § § § § § § §	C.A. No. 6:14-cv-00068-JRG-KNM
v.		
WESTLAKE CHEMICAL CORP., Defendant.		

**DEFENDANT’S NOTICE OF APPEAL**

Notice is hereby given that Westlake Chemical Corp. (“Westlake”), defendant in the above named case, hereby appeals to the United States Court of Appeals for the Federal Circuit from the final judgment entered in this action on March 14, 2016 (Dkt. 206), from the amended final judgment entered in this action on April 5, 2016 (Dkt. 223), and from the court’s memorandum opinion and order denying Westlake’s post-trial motion for judgment as a matter of law entered in this action on December 29, 2016 (Dkt. 245), including all antecedent adverse orders and determinations (including, without limitation, the memorandum opinion and order, and subsequent adopting order, regarding claim constructions (Dkts. 63, 109); the order denying Westlake’s motion to exclude the testimony of Dr. Francis Mirabella (Dkt. 171); the order granting summary judgment to plaintiffs, and denying summary judgment to Westlake, regarding Westlake’s on-sale bar defense (Dkt. 173); the order regarding lost-profit and price erosion damages and Westlake’s motion to exclude the testimony of Dr. Keith Ugone (Dkt. 174); and the order regarding plaintiffs’ motions in limine (Dkt. 177)).

Dated: January 30, 2017

Respectfully submitted,

BRACEWELL LLP

By: /s/ Richard F. Whiteley  
Richard F. Whiteley  
State Bar No. 24013744  
Jeffrey L. Oldham  
State Bar No. 24051132  
Stacianne M. Wilson  
State Bar No. 24070863  
711 Louisiana, Suite 2300  
Houston, Texas 77002  
(713) 223-2300 – Telephone  
(713) 221-1212 – Facsimile  
[Richard.Whiteley@bracewelllaw.com](mailto:Richard.Whiteley@bracewelllaw.com)  
[Jeff.Oldham@bracewelllaw.com](mailto:Jeff.Oldham@bracewelllaw.com)  
[Staci.Wilson@bracewelllaw.com](mailto:Staci.Wilson@bracewelllaw.com)

KING & SPALDING LLP

By: /s/ John H. Barr, Jr.  
John H. Barr, Jr.  
State Bar No. 00783605  
1100 Louisiana St., Suite 4000  
Houston, Texas 77002  
(713) 751-3200 Telephone  
(713) 751-3290 Facsimile  
[jbarr@kslaw.com](mailto:jbarr@kslaw.com)

ATTORNEYS FOR DEFENDANT  
WESTLAKE CHEMICAL CORP.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record via the Court's electronic filing system and email pursuant to the Federal Rules of Civil Procedure on the 30th day of January, 2017.

/s/ Richard F. Whiteley  
Richard F. Whiteley